

# **EXHIBIT 1**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**GENWORTH LIFE AND ANNUITY  
INSURANCE COMPANY (f/k/a FIRST  
COLONY LIFE INSURANCE COMPANY),**

**Plaintiff,** )

**VS.** )

**No.: 07 C 6400**

**DOROTHY CIURA and** )  
**LISA VANDENBERGHE (n/k/a LISA ORTEGA)** )

**Defendants.** )

**GENWORTH LIFE AND ANNUITY INSURANCE COMPANY'S**  
**FINAL JUDGMENT ORDER IN INTERPLEADER**

This Order coming before the Court on the Motion of Genworth Life and Annuity Insurance Company (f/k/a First Colony Life Insurance Company) (“GLAIC”) for the entry of a Final Judgment Order in Interpleader, due notice having been given and the Court being fully advised in the premises:

**THE COURT HEREBY FINDS THAT:**

1. On November 13, 2007, GLAIC filed its Complaint for Interpleader (“Complaint for Interpleader”) against defendants Dorothy Ciura and Lisa Vandenberghe (n/k/a Lisa Ortega) pursuant to 28 U.S.C. §§ 1335, 1397 and 2361 (2007) to resolve competing claims to the insurance proceeds payable pursuant to a GLAIC life insurance policy, Policy No. 2100851, issued to and insuring the life of Steven Ciura (the “Policy”).

2. On or about December 6, 2007, Dorothy Ciura executed and returned the Waiver of Service of Summons form, thereby agreeing to waive service.

3. On January 21, 2008, Defendant Lisa Vandenberghe (n/k/a Lisa Ortega) was duly served with the Complaint for Interpleader and, on February 13, 2008, filed her Answer to the Complaint for Interpleader and a Cross-Claim against Dorothy Ciura.

4. On April 2, 2008, Dorothy Ciura will have either appeared through counsel and filed a responsive pleading or will be found to be in default pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure.

5. This Court has jurisdiction over the subject matter of this cause and over the parties.

6. This Court adopts, insofar as GLAIC is concerned, as its findings herein, Paragraphs 1-13 of the Complaint for Interpleader, filed on November 13, 2007.

7. This Court granted GLAIC's Motion for Leave to Deposit its total admitted liability on November 20, 2007, and, in accordance with this Court's Order, GLAIC deposited its admitted liability in the amount of Fifty-Five Thousand, Eight Hundred Five and 47/100 Dollars (\$55,805.47) into the registry of this Court, subject to this Court's further orders as to whom among the Defendants is entitled to receive those proceeds.

8. On November 20, 2007, this Court granted GLAIC's Motion for Restraining Order and entered an order restraining and enjoining Dorothy Ciura from continuing the litigation titled "Dorothy Ciura v. First Colony Life Insurance Company and Lisa Vandenberghe," Case No. 2006 CH 00764, proceeding in the Circuit Court of the Eighteenth Judicial Circuit, DuPage County Illinois, and restraining and enjoining Dorothy Ciura and Lisa Vandenberghe (n/k/a Lisa Ortega), or any person or entity claiming through them, from commencing or prosecuting any proceeding against Genworth Life and Annuity Insurance Company (f/k/a First Colony Life

Insurance Company) in any state or federal court or other forum with respect to the insurance proceeds payable under the Policy and on account of the death of Steven Ciura.

9. GLAIC, as stakeholder in Interpleader, has done all that is required by law to perfect its Interpleader Action.

10. GLAIC is entitled to be discharged from this litigation in accordance with the terms as hereinafter provided in this Order.

**IT IS HEREBY ORDERED THAT:**

A. Judgment is hereby granted in favor of Genworth Life and Annuity Insurance Company (f/k/a First Colony Life Insurance Company) and against defendants Dorothy Ciura and Lisa Vandenberghe (n/k/a Lisa Ortega) on the Complaint for Interpleader;

B. Genworth Life and Annuity Insurance Company (f/k/a First Colony Life Insurance Company), its successors, assigns, representative, agent, attorneys and all of its affiliated companies, including officers, directors and employees are released and discharged from any and all liability to defendants Dorothy Ciura and Lisa Vandenberghe (n/k/a Lisa Ortega), or any person or entity claiming through them;

C. Defendants Dorothy Ciura and Lisa Vandenberghe (n/k/a Lisa Ortega), or any person or entity claiming through them, are permanently and perpetually restrained and enjoined from commencing or prosecuting any proceeding or claim in any federal, state or administrative court or other forum with respect to the insurance proceeds payable under the Policy and on account of the death of Steven Ciura, including, but not limited to, the litigation proceeding in the Circuit Court of the Eighteenth Judicial Circuit, DuPage County Illinois, titled "Dorothy Ciura v. First Colony Life Insurance Company and Lisa Vandenberghe," Case No. 2006 CH 00764;

D. Genworth Life and Annuity Insurance Company (f/k/a First Colony Life Insurance Company) is excused from further attendance upon this cause and dismissed with prejudice from this cause with an express finding that, pursuant to Rule 54(b) of the Federal Rules of Civil Procedure, there is no just reason for delaying either the enforcement or appeal of this Order or both; and

E. Defendants Dorothy Ciura and Lisa Vandenberghe (n/k/a Lisa Ortega), or any person or entity claiming through them, are required to litigate their entitlement to the Policy proceeds among themselves and without further involvement of Genworth Life and Annuity Insurance Company (f/k/a First Colony Life Insurance Company).

ENTERED:

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Judge Samuel Der-Yeghiayan